

REMARKS

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 3, 4, 11, 12 and 14-17 and amended claims 1, 2, 5-10 and 13 are in this application. No new matter has been presented.

In the “Notice of Non-Compliant Amendment” Office Action of April 26, 2004, it was stated that each claim had not been properly provided with the proper status identifier. Specifically, it was stated that the status identifier for claims 7-17 needed to be changed. Applicants respectfully disagree because this is a Reissue case. Therefore, in such a Reissue case it is believed that claims 7-17 should be designated by the status identifier “New” because such claims were not present in the issued patent. Furthermore, Applicants have changed the status identifier of claim 6 to “New” because this claim was also not present in the issued patent. Applicants therefore respectfully request that the “Notice of Non-Compliant Amendment” be withdrawn.

At paragraph 3 of the outstanding Final Office Action of January 28, 2004, the Examiner rejected claims 6 and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants

regard as the invention. Specifically, the Examiner stated that the recitations “said designation means”, “said selected data” and “said additional information” are vague and indefinite because there is insufficient antecedent basis. Applicants have amended claim 6 to clearly identify the recitations with proper antecedent basis. Claim 13 depends from claim 6. Applicants therefore respectfully request that the 112, second paragraph rejection to claims 6 and 13 be withdrawn.

Claim 6 has further been amended herein by modifying the previously added selection means and comparison means limitations. These limitations now recite “selection means for selecting from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus” and “comparison means for comparing said obtained image to said image information of said plurality of image information corresponding to said selected images to determine a matching image.” Furthermore, the imaging means has been moved and modified to recite “imaging means for obtaining an image at the current position location of the information retrieval apparatus.” Finally, the transmitting means has been moved and the first receiving means has been modified. Attached hereto is a marked-up version of the changes made to claim 6 in the current amendment with respect to the amendment filed on October 31, 2003. The attached page is captioned

“Version with markings to show changes made.”

Claims 7-10 had been previously added as new claims in an amendment filed on May 7, 2003. Claims 7-10 have been amended in this amendment by modifying the previously added selection means and comparison means limitations. These limitations now recite “selection means for selecting from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being

located within a predefined proximity to the current position location of the information retrieval apparatus” and “comparison means for comparing said obtained image to said image information of said plurality of image information corresponding to said selected images.” Furthermore, the imaging means has been moved and modified to recite “imaging means for obtaining an image at the current position location of the information retrieval apparatus.” Finally, the reception means has also been modified and moved. Attached hereto is a marked-up version of the changes made to claims 7-10 in the current amendment with respect to the amendment filed on October 31, 2003. The attached page is captioned **“Version with markings to show changes made.”**

Independent claims 1 and 5 have also been amended in a similar manner to independent claims 6-10.

Claims 11-17 had been previously added as new claims in an amendment filed on October 31, 2003. Claims 11, 12 and 14-17 have not been amended herein. Claim 13 has been amended by reciting “...wherein when said comparison means determines one of said selected images matches said obtained image and that a user’s manual operation is necessary, additional information corresponding to said one of said selected images and information input by said user’s manual operation is provided.” Attached hereto is a marked-up version of the changes made to claim 13 in the current amendment with respect to the amendment filed on October 31, 2003. The attached page is captioned **“Version with markings to show changes made.”**

At paragraph 5 of the outstanding Final Office Action of January 28, 2004, the Examiner rejected claims 1-3, 5 and 7-10 under 35 U.S.C. § 103(a) as being unpatentable over Bouve (U.S. Patent No. 5,682,525) in view of Numagami (U.S. Patent No. 5,155,774). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, “An information retrieval apparatus ...comprising... selection means for selecting from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus...and...comparison means for comparing said obtained image to said image information of said plurality of image information corresponding to said selected images.” (Underlining and Bold added for emphasis.)

It is respectfully submitted that Bouve and Numagami do not teach the above-recited feature of amended independent claim 1.

The selection means of the present invention selects from a database that contains a plurality of image data, the image data that have corresponding position data indicating that they are in a predefined proximity to the current position location of the imaging apparatus. This is done in order to narrow down the images that will be looked through by the database by only selecting image information corresponding to actual images that are in the proximity of the retrieval apparatus. In other words, first a location is determined, and images in the database in proximity to this location are selected. Then, depending on the detected image or image inputted by a user, the database performs a matching process in order to determine if any of the selected predetermined images in the database match the image(s) that the user has provided to the database. As a result, a selection is made from a plurality of image information (not just one map) wherein such plurality of image information corresponds to images defined as being located in proximity to the current position of the retrieval apparatus.

The Examiner admits that Bouve “fails to disclose selection means for selecting image data corresponding to each of one or more images from said database...” The Examiner

relies on Numagami to teach such a feature. However, Numagami also does not teach the selecting means of the present invention. Numagami selects maps from a database based only on location data and not on the image data obtained by a user around a specific location. The present invention uses the location data only to narrow down the images that will be looked through by the database by only selecting image information in the proximity of the retrieval apparatus. Numagami merely stores image data and then according to the location information, a map area corresponding to the image data is calculated and the map is retrieved. In other words, there is only one stored image per one location, whereas in the present invention there is a plurality of stored images per one location. This is a significant difference between the invention taught by Numagami and the invention taught by the present invention because in accordance with the present invention the search performed by the database is limited to searching for only specific image information indicated as being located in a predefined proximity to a specific location. Therefore amended independent claim 1 is believed to be distinguishable from Numagami.

For reasons similar to those described above with regard to amended independent claim 1, amended independent claims 5 and 7-10 are also believed to be distinguishable from the applied combination of Bouve and Numagami.

Further, claims 2 and 3 depend either directly or indirectly from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from the applied combination of Bouve and Numagami for at least the reasons previously described. Therefore, claims 2 and 3 are believed to be distinguishable from the applied combination of Bouve and Numagami.

Applicants therefore respectfully request the rejection of claims 1-3, 5 and 7-10 under 35 U.S.C. §103(a) be withdrawn.

At page 6 of the outstanding Final Office Action of January 28, 2004, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Bouve and Numagami as applied to claim 1, and further in view of Hudetz (U.S. Patent No. 5,978,773). Applicants respectfully traverse the rejection.

Claim 4 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Bouve and Numagami for at least the reasons previously described. The Examiner did to rely on Hudetz to overcome the above-identified deficiencies of Bouve and Numagami. Therefore, claim 4 is believed to be distinguishable from the applied combination of Bouve, Numagami and Hudetz.

Applicants therefore respectfully request the rejection of claim 4 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 7 of the outstanding Final Office Action of January 28, 2004, the Examiner rejected claims 11-17 under 35 U.S.C. § 103(a) as being unpatentable over Bouve in view of Numagami as applied to claims 1 and 5-10, and further in view of Murphy (U.S. Patent No. 5,799,082). Applicants respectfully traverse the rejection.

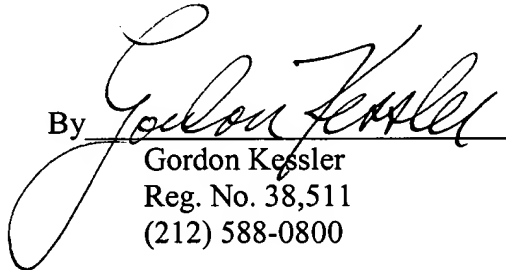
Claims 11-17 depend either directly or indirectly from amended independent claim 1, and due to such dependency are also believed to be distinguishable over Bouve and Numagami as applied by the Examiner for at least the reasons described above. The Examiner did to rely on Murphy to overcome the above-identified deficiencies of Bouve and Numagami. Therefore, claims 11-17 are believed to be distinguishable from the applied combination of Bouve, Numagami and Murphy.

Applicants therefore respectfully request the rejection of claims 11-17 under 35 U.S.C. §103(a) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to
Deposit Account No. 50-0320.

Respectfully submitted,
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“VERSION WITH MARKINGS TO SHOW CHANGES MADE.”

1. (Twice Amended) An information retrieval apparatus for retrieving information from a remote data base, said remote data base comprising image information for a plurality of images, and at least corresponding location data, comprising:

~~imaging means for obtaining an image;~~

location detection means for detecting a current position location of said information retrieval apparatus; ~~and~~

selection means for selecting ~~image data corresponding to each of one or more images from said data base in which sent stored corresponding location data corresponds to said current position location of said information retrieval apparatus; and~~ from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus;

imaging means for obtaining an image at the current position location of the information retrieval apparatus; and

comparison means for comparing said obtained image to said image ~~data~~ information of said ~~one or more~~ plurality of image information corresponding to said selected images.

2. (Twice Amended) The information retrieval apparatus according to claim 1, further comprising reception means for receiving the image ~~data~~ information and at least the corresponding location data via a computer network.

3. (Amended) The information retrieval apparatus according to claim 2, wherein said reception means has a portable telephone function and is connected to said computer network via a telephone line.

4. (Amended) The information retrieval apparatus according to claim 2, wherein the corresponding location data is a URL for specifying information stored in a server of a world wide web build up on the Internet.

5. (Twice Amended) An information retrieval method for retrieving information by an information retrieval apparatus from a remote data base, said remote data base comprising image information for a plurality of images, and at least corresponding location data, comprising the steps of:

~~obtaining an image;~~

detecting the current position location of the information retrieval apparatus; ~~and~~

~~selecting image data from said data base corresponding to each of one or more images from said data base in which sent stored corresponding location data corresponds to said current position location of said information retrieval apparatus; and~~ from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus;

obtaining an image at the current position location of the information retrieval apparatus; and

comparing said obtained image to said image ~~data~~ information of said ~~one or~~
~~more~~ plurality of image information corresponding to said selected images.

6. (New) An information retrieval apparatus for retrieving
information from a remote data base, said remote data base comprising image information for a
plurality of images, and at least corresponding location data, comprising:

~~imaging means for obtaining an image;~~

location detection means for detecting a current position location of said
information retrieval apparatus;

transmitting means for transmitting said detected current position location to the
remote data base;

selection means for selecting ~~image data corresponding to each of one or more~~
~~images from said data base in which sent stored corresponding location data corresponds to said~~
~~current position location of said information retrieval apparatus;~~ from said remote database a
plurality of image information corresponding to images defined, in accordance with said
corresponding location data, as being located within a predefined proximity to the current
position location of the information retrieval apparatus;

imaging means for obtaining an image at the current position location of the
information retrieval apparatus;

comparison means for comparing said obtained image to said image ~~data~~
information of said ~~one or more~~ plurality of image information corresponding to said selected
images to determine a matching image;

~~transmitting means for transmitting said detected current position location to the data base;~~

first receiving means for receiving ~~said~~ designation information corresponding to said ~~selected data~~ matching image for retrieving ~~said~~ additional information corresponding to said obtained image , ~~said selected data having position data representing positions in the vicinity of the detected current position location;~~

checking means for checking whether user's manual operation is needed to acquire said additional information corresponding to said designation information;

second receiving means for receiving additional information based on the designation information; and

displaying means for displaying said additional information.

7. (New) An information retrieval apparatus for retrieving information from a remote data base, said remote data base comprising image information for a plurality of images, and at least corresponding location data, comprising:

location detection means for detecting a current position location of said information retrieval apparatus;

transmitting means for transmitting said detected current position location to the remote data base;

~~reception means for receiving said image data corresponding to said position data representing positions in the vicinity of the detected current position location;~~

~~imaging means for obtaining an image;~~

selection means for selecting ~~image data corresponding to each of one or more~~
~~images from said data base in which sent stored corresponding location data corresponds to said~~
~~current position location of said information retrieval apparatus;~~ from said remote database a
plurality of image information corresponding to images defined, in accordance with said
corresponding location data, as being located within a predefined proximity to the current
position location of the information retrieval apparatus;

reception means for receiving said selected image information;

imaging means for obtaining an image at the current position location of the
information retrieval apparatus;

comparison means for comparing said obtained image to said image data
information of said one or more plurality of image information corresponding to said selected
images; and

checking means for checking a match between said received image and said
obtained image.

8. (New) An information retrieval apparatus for retrieving
information from a remote data base, said remote data base comprising image information for a
plurality of images, and at least corresponding location data, comprising:

location detection means for detecting a current position location of said
information retrieval apparatus;

transmitting means for transmitting said detected current position location to the
remote data base;

~~reception means for receiving said image data corresponding to said position data representing positions in the vicinity of the detected current position location;~~

~~imaging means for obtaining image;~~

~~selection means for selecting image data corresponding to each of one or more images from said data base in which sent stored corresponding location data corresponds to said current position location of said information retrieval apparatus; from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus;~~

reception means for receiving said selected image information;

imaging means for obtaining an image at the current position location of the information retrieval apparatus;

comparison means for comparing said obtained image to said image data information of said ~~one or more~~ plurality of image information corresponding to said selected images; and

displaying means for displaying said received image after performing a matching process using said obtained image.

9. (New) An information retrieval method for retrieving information by an information retrieval apparatus from a remote data base, said remote data base comprising image information for a plurality of images, and at least corresponding location data, comprising the steps of:

detecting a current position location of said information retrieval apparatus;

transmitting said detected current position location to the remote data base;

~~receiving said image data corresponding to said position data representing positions in the vicinity of the detected current position location;~~

~~obtaining an image;~~

~~selecting image data corresponding to each of one or more images from said data base in which sent stored corresponding location data corresponds to said current position location of said information retrieval apparatus;~~ from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus;

receiving said selected image information;

obtaining an image at the current position location of the information retrieval apparatus;

comparing said obtained image to said image ~~data~~ information of said ~~one or more~~ plurality of image information corresponding to said selected images; and

checking means for checking a match between said received image and said obtained image.

10. (New) An information retrieval method for retrieving information by an information retrieval apparatus from a remote data base, said remote data base comprising image information for a plurality of images, and at least corresponding location data, comprising the steps of:

detecting a current position location of said information retrieval apparatus;

transmitting said detected current position location to the remote data base;

~~receiving said image data corresponding to said position data representing positions in the vicinity of the detected current position location;~~

~~obtaining an image;~~

~~selecting image data corresponding to each of one or more images from said data base in which sent stored corresponding location data corresponds to said current position location of said information retrieval apparatus;~~ from said remote database a plurality of image information corresponding to images defined, in accordance with said corresponding location data, as being located within a predefined proximity to the current position location of the information retrieval apparatus;

receiving said selected image information;

obtaining an image at the current position location of the information retrieval apparatus;

comparing said obtained image to said image data information of said ~~one or more~~ plurality of image information corresponding to said selected images; and

displaying said ~~received~~ a matching image after performance of a ~~matching process using said obtained image~~ the comparing step.

11. (New) The information retrieval apparatus according to claim 1, wherein when said comparison means determines one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.

12. (New) The information retrieval method according to claim 5, wherein when it is determined that one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.

13. (New) The information retrieval apparatus according to claim 6, wherein when said comparison means determines one of said selected images matches said obtained image and that a user's manual operation is necessary, additional information corresponding to said one of said selected images and information input by said user's manual operation is provided.

14. (New) The information retrieval apparatus according to claim 7, wherein when said comparison means determines one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.

15. (New) The information retrieval apparatus according to claim 8, wherein when said comparison means determines one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.

16. (New) The information retrieval method according to claim 9, wherein when it is determined that one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.

17. (New) The information retrieval method according to claim 10, wherein when it is determined that one of said selected images matches said obtained image, additional information corresponding to said one of said selected images is provided.